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FACSIMILE TRANSMITTAL SHEET

TO:

Andrew DiNovo, Esq.
Steve Hoeft, Esq.

FROM:

Brad Kile

COMPANY:

Jenkins & Gilchrist PC
McDermott Will & Emery LLP

DATE:

1-12-06

FAX NUMBER:

1-512-499-3810
1-312-984-7700

TOTAL NO. OF PAGES INCLUDING COVER:

3

PHONE NUMBER:

1-512-499-3812
1-312-372-2000

SENDER'S REFERENCE NUMBER:

10.010.056

CC:

YOUR REFERENCE NUMBER:

RE:

Esquel Application Serial No. 10/073445 Zhang et al. WRINDLE FREE GARMENT AND
METHOD OF MANUFACTURE

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

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URGENT !

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January 12, 2006

**Andrew G. DiNovo
Jenkins & Gilchrist, PC
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799**

Re: Esquel US Application for Patent SN 10/073445

Dear Mr. DiNovo:

I am patent counsel for TALTECH Limited in the United States. As you know, a law suit is pending before the Western District of Washington (Seattle), Civil Action No. C04-974Z, styled TALTECH Limited v. Esquel Enterprises, Ltd.

We have reviewed the USPTO PAIR record for the above referenced Esquel application, and see that an issue fee has been paid. Based on the PAIR record, however, it appears that the prior art asserted by Esquel in the Seattle litigation has not yet been cited to the USPTO in an Information Disclosure Statement.

In the Seattle litigation, Esquel's litigation counsel McDermott Will & Emery listed 663 patents or publications as prior art to the TALTECH United States patent Nos. 5,568,779 and 5,590,615. If those patents and publications are material to patentability of the TALTECH '779 and '615 patents, as Esquel's counsel contends, then they also are material to patentability of the Esquel 10/073445 application.

You can obtain a listing of the 663 patents and publications from your client Esquel and its litigation counsel directly. We have not forwarded a copy of this listing directly to

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you because it was filed by Esquel with the Seattle court as confidential under a protective order, however, prior art itself and the TALTECH '779 and '615 patents, are all publicly available and there is nothing confidential about them. Moreover, there is nothing confidential about the Esquel and McDermott Will & Emery assertions of relevancy of the patents and publications to fusible dress shirt seams. The attorney of record for Esquel is Mr. Steve Hoeft in the Chicago office of McDermott Will.

Maybe McDermott Will and your client Esquel, and its inventors, have not previously shared this information with you but I know you understand that Esquel, and you personally as the attorney of record for Esquel and the inventors before the USPTO, have a duty under Rule 56 to disclose to the USPTO any prior that is material to the examination of the Esquel 10/073445 application before it is allowed to issue as a United States patent.

Very truly yours,


Bradford E. Kile

BEK:llc
cc: Steve Hoeft, Esq.